



ORDINANCE NO. 3328

AN ORDINANCE OF THE CITY OF FARMERS BRANCH, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE AND ZONING MAP OF THE CITY OF FARMERS BRANCH, TEXAS, GRANTING A SPECIFIC USE PERMIT FOR A GASOLINE SERVICE STATION AND CONVENIENCE STORE ON LOT 1, BLOCK 1, PARK WEST PHASE V, FARMERS BRANCH, TEXAS, LOCATED WITHIN PLANNED DEVELOPMENT NO. 88 (PD-88) ZONING DISTRICT; ADOPTING A SITE PLAN, LANDSCAPE PLAN, AND BUILDING ELEVATIONS; PROVIDING FOR SPECIAL EXCEPTIONS; PROVIDING A SAVINGS CLAUSE; PROVIDING CONFLICTS RESOLUTION CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND (\$2,000.00) DOLLARS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Farmers Branch and the governing body of the City of Farmers Branch, in compliance with the laws of the State of Texas and the ordinances of the City of Farmers Branch, have given requisite notice by publication and otherwise, and, after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity, the governing body, in the exercise of its legislative discretion, has concluded that the Comprehensive Zoning Ordinance and Zoning Map should be amended;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:

SECTION 1. The Comprehensive Zoning Ordinance and zoning map of the City of Farmers Branch, Texas, be, and the same is hereby amended, so as to grant a change in zoning by granting a Specific Use Permit for a Gasoline Service Station with a Convenience Store for Lot 1, Block 1, Park West Phase V, an Addition to the City of Farmers Branch, Texas, according to the plat thereof recorded in Volume 87007, Page 3105, Plat Records, Dallas County, Texas ("the Property") which is presently zoned Planned Development No. 88 (PD 88) Zoning District.

SECTION 2. The Property shall conform in operation, location and construction to the development standards specified within the PD-88 Zoning District and, if developed as a Gasoline Service Station with a Convenience Store as authorized by Section 1 of this Ordinance, the Property shall be subject to the following special conditions:

- A. The Property shall be developed and used only in accordance with the Site Plan attached hereto as Exhibit "A" and incorporated herein by reference;

- B. The Property shall be developed with landscaping in accordance with the Landscape Plan attached hereto as Exhibit "B," and incorporated herein by reference; and
- C. The building elevations for buildings located on the Property shall be designed and constructed substantially in accordance with the Elevations set forth in Exhibit "C," attached hereto and incorporated herein by reference.

SECTION 3. The Property may be developed in accordance with the following exceptions to the development and use regulations for property located within the PD-88 Zoning District:

- A. The location of buildings on the Property shall be as set forth on the Site Plan (Exhibit "A" hereto) without regard to the requirement to locate 30% of the building along the Required Building Line for the Commerce Subdistrict in PD-88;
- B. The streetscape on Luna Road adjacent to the Property shall not be required to conform to the Edge 2 Street Type;
- C. The Property may be developed without placing underground the overhead electrical lines located on the Property along Luna Road on the effective date of this Ordinance.
- D. The convenience store and canopy shall be developed to a height of 22 feet in accordance with the Elevations (Exhibit "C" hereto) without regard to the requirement to construct one-story building located in PD-88 with a minimum height of 24 feet.
- E. A freestanding monument sign and a freestanding pylon sign designed substantially as shown on the Sign Illustration (Exhibit "D" hereto) may be constructed on the Property at the locations shown on the Site Plan.

SECTION 4. In the event of an irreconcilable conflict between the provisions of another previously adopted ordinance of the City of Farmers Branch and the provisions of this Ordinance as applicable to the use and development of the Property, the provisions of this Ordinance shall be controlling.

SECTION 5. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of the Comprehensive Zoning Ordinance as a whole.

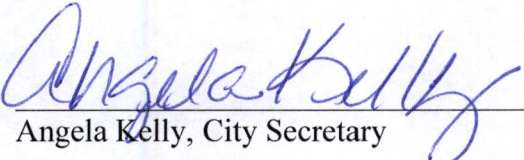
SECTION 6. An offense committed before the effective date of this ordinance is governed by prior law and the provisions of the Comprehensive Zoning Ordinance, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

SECTION 7. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the City of Farmers Branch, as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

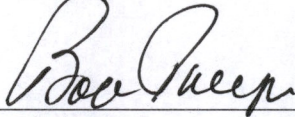
SECTION 8. This Ordinance shall take effect after the passage of this Ordinance, the publication of the caption hereof as the law and charter in such case provide.

**DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH,
TEXAS, ON THIS THE 14th DAY OF JULY, 2015.**

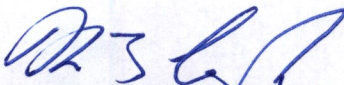
ATTEST:


Angela Kelly, City Secretary

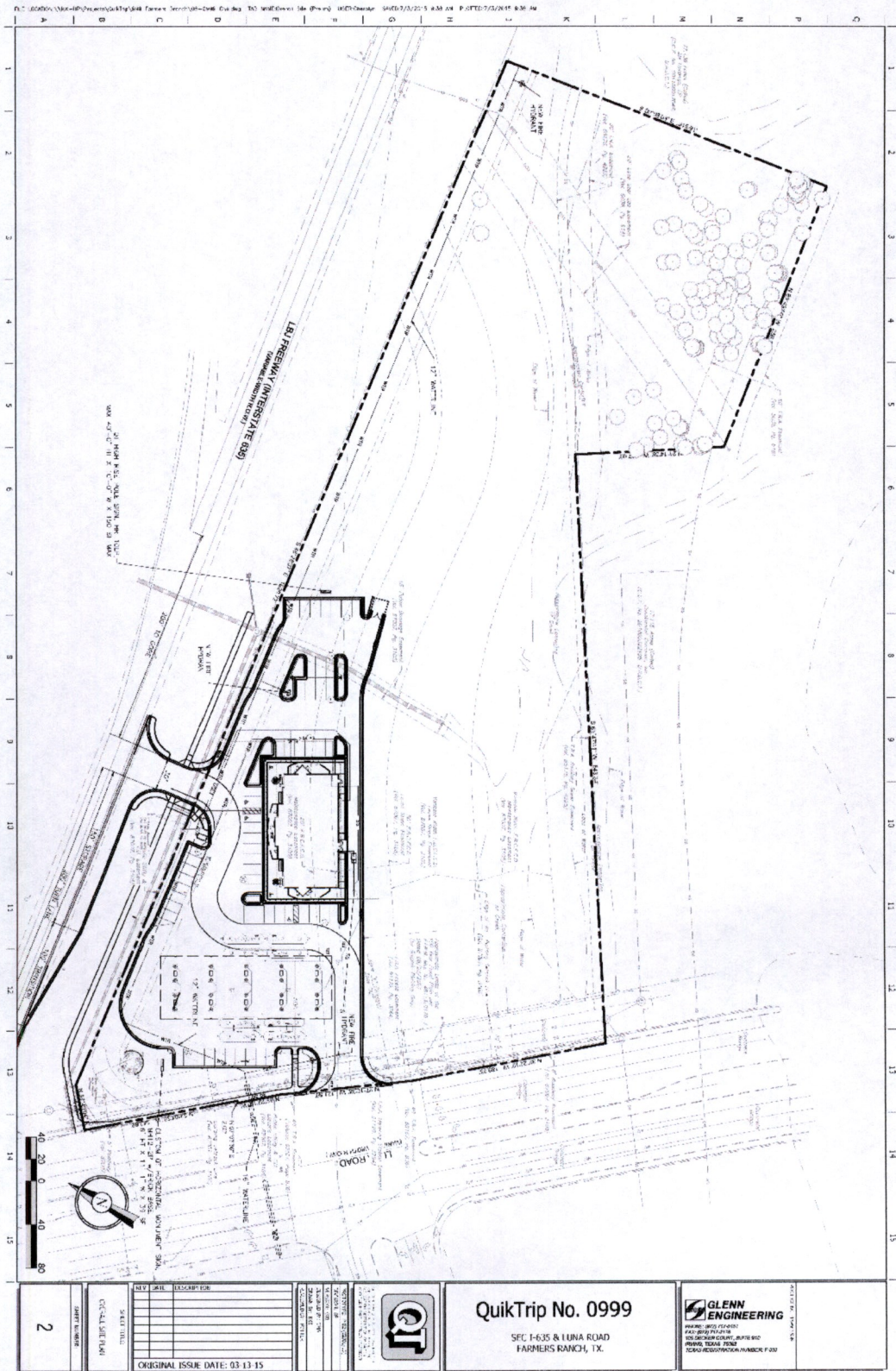
APPROVED:


Bob Phelps, Mayor

APPROVED AS TO FORM:


Peter G. Smith, City Attorney
(kbl:7/2/15:72347)

Ordinance No. 3328 Exhibit "A" - Site Plan



QuikTrip No. 0999

SFC 1-635 & LUNA ROAD
FARMERS RANCH, TX.

GLENN
ENGINEERING

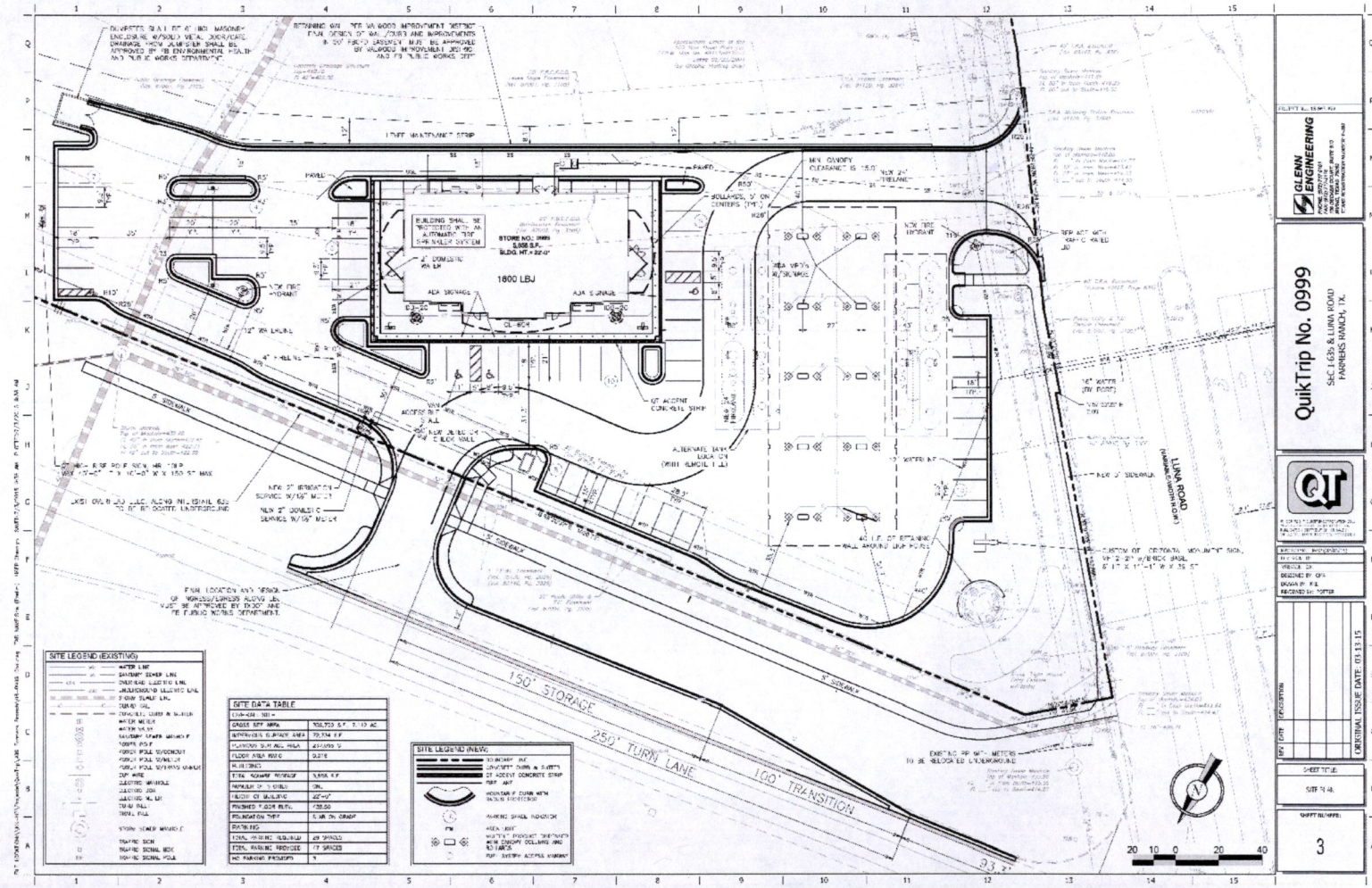
10000 N. 100TH AVE., SUITE 100
DALLAS, TEXAS 75243
TEL: 972.444.1111
FAX: 972.444.1112
WWW.GLENNENGINEERING.COM



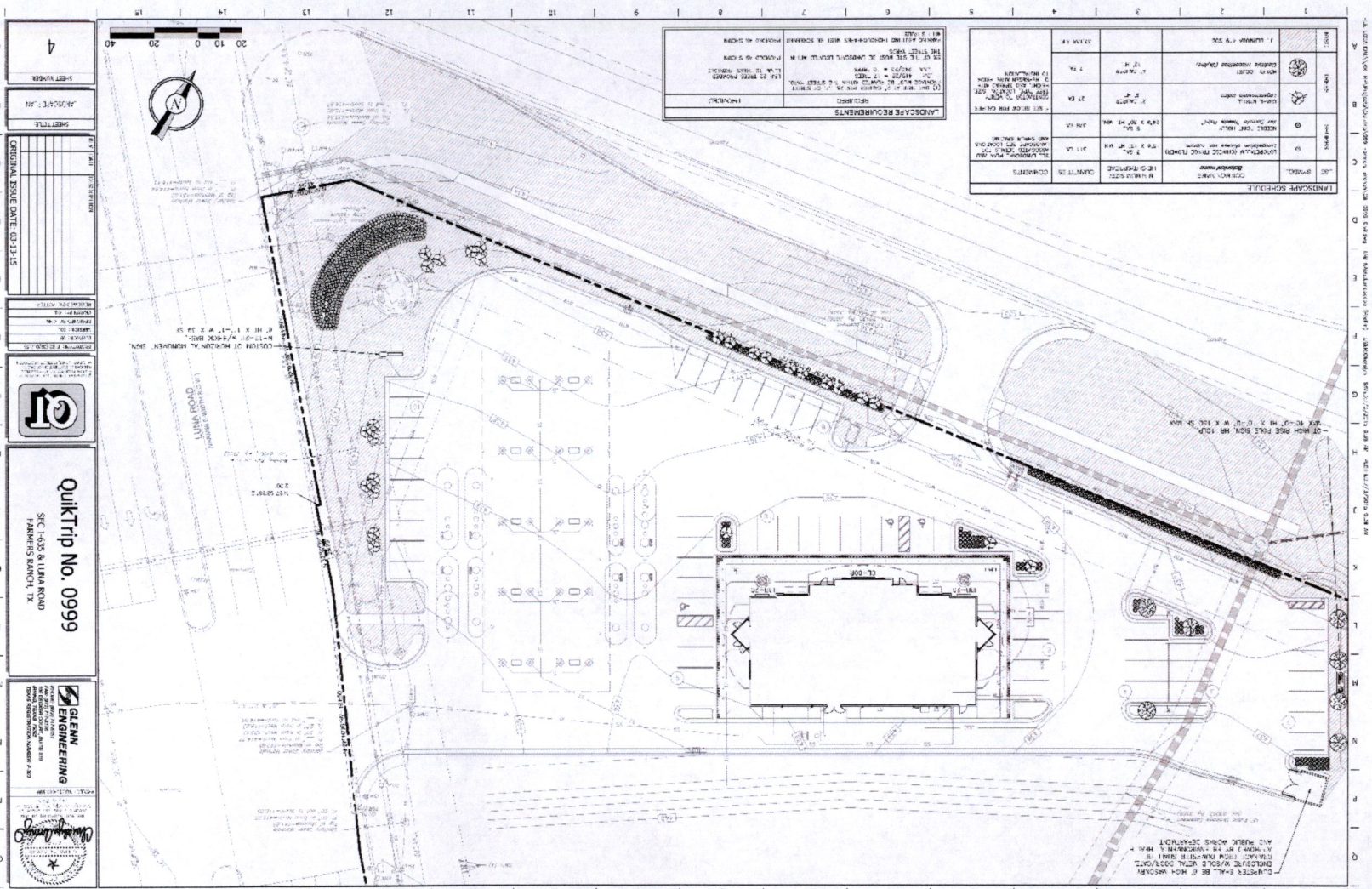
NO.	DATE	DESCRIPTION
1	03/13/15	ORIGINAL ISSUE DATE: 03/13/15
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		

2

Ordinance No. 3328 Exhibit "A" - Site Plan (cont)



Ordinance No. 3328 Exhibit "B" – Landscape Plan



Ordinance No. 3328
Exhibit "C" – Elevations



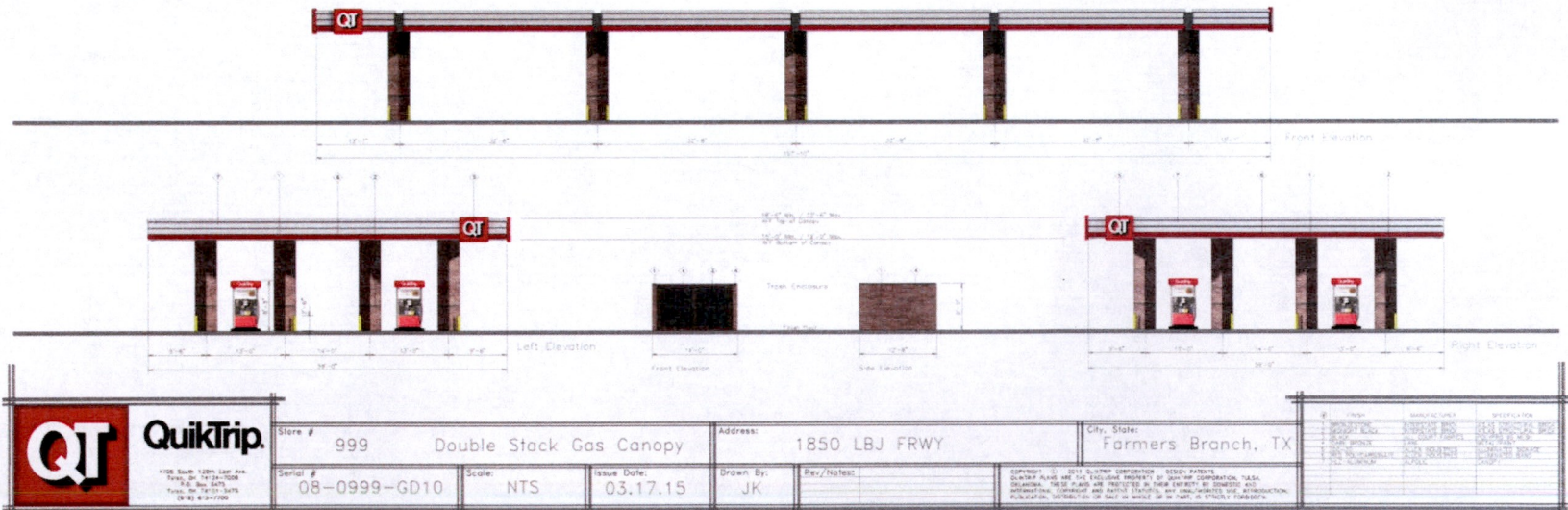
Building Material Percentage Table			
	FRONT FACADE	SIDE FACADES	REAR FACADE
TOTAL	242% SF	1132% SF	219% SF
ATLAS BRICK	31%	40%	36%
PORCELAIN T&G	20%	20%	6%
FACIA/CANOPY	14%	17%	5%
DOORS/ WINDOWS	28%	23%	13%
SIGNAGE	7%		



Ordinance No. 3328
Exhibit "C" – Elevations (cont)



Canopy Material Percentage Table			
	FRONT FACADE	SIDE FACADE'S	REAR FACADE
TOTAL	627 SF	474 SF	624 SF
ATLAS BRICK	32%	51%	33%
FACIA CANOPY	65%	44%	67%
SIGNAGE	3%	5%	



Ordinance No. 3328
Exhibit "D" – Monument Sign Illustration



Proposed Pylon Sign



Proposed Monument Sign